HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 10732 OF 2006

DATED: 14.9.2006

Between:

Kollam Nagaraju

… Petitioner

and

The Circle Inspector of Police and others

…

Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.10732 OF 2006

ORAL ORDER:

The writ petition is filed alleging that the 2nd respondent has abdicated his statutory obligations by failing to register a case against the 3rd respondent, pursuant to the petitioner's complaint dated 25.2.2006 and 3.3.2006 and is on the other hand summoning the petitioner and his family members to the police station regularly and threatening to foist false cases against them at the instance of the 3rd respondent.

It now transpires that the petitioner's complaint to the Dy. Inspector General of Police, Guntur Range dated 10.5.2006 was registered on 30.8.2006 as Cr.No.149 of 2006, on the file of the P.S. Ongole, pursuant to the endorsement made by the DIG of Police, Guntur Range, Guntur. In the circumstances, satisfied with the action now taken, the petitioner seeks to withdraw the writ petition.

Sri C. Raghu, learned counsel for the 3rd respondent, states that the complaint dated 10.5.2006 addressed by the petitioner to

several higher authorities including the DIG of Police, Guntur Range, Guntur and the Superintendent of Police, Prakasam District contains averments which are at variance with his earlier complaints dated 25.2.2006 and 3.3.2006 alleged to have been submitted by the petitioner to respondents 1 and 2 and that in view of such variance, there was no justification for having registered the complaint dated 10.5.2006 and that such registration of a complaint in the circumstances, is in transgression of the procedural discipline under the Code of Criminal Procedure, 1973. These are not issues that need be considered in this writ petition. If the 3rd respondent is aggrieved by the registration of the complaint by the petitioner, he may pursue appropriate remedies in accordance with law, but not in this writ petition.

In the aforesaid circumstances, the writ petition is dismissed as withdrawn. No costs.

GODA RAGHURAM, J

Date: 14.9.2006
CVM